

STATE OF NEW MEXICO
BEFORE THE ENVIRONMENTAL IMPROVEMENT BOARD



IN THE MATTER OF PROPOSED REVISIONS
TO THE STATE IMPLEMENTATION PLAN
TO SATISFY THE REQUIREMENTS OF
CLEAN AIR ACT 110(a)(2)(D)(i)(II)
WITH RESPECT TO VISIBILITY

No. EIB 11-02 (R)

NEW MEXICO ENVIRONMENT DEPARTMENT
NOTICE OF INTENT TO PRESENT TECHNICAL TESTIMONY

Pursuant to 20.1.1.302.A NMAC, the New Mexico Environment Department (NMED) Environmental Protection Division (“the Division”) hereby submits its Notice of Intent to present technical testimony in this proceeding.

1. **The person for whom the witnesses will testify.**

The New Mexico Environment Department, Environmental Protection Division.

2. **The name and qualifications of each technical witness.**

Ms. Mary Uhl. Mary Uhl is the Bureau Chief of the Department’s Air Quality Bureau. Since Joining the Bureau in 1992, she has served as the manager of the modeling and planning/policy sections, and as an air dispersion modeling expert, during which she completed more than eight hundred (800) modeling analyses, developed the states modeling guidelines, managed the Corrales air toxics study, and testified in numerous court cases and public hearings. Ms. Uhl has served as co-chair of the WESTAR Technical Committee and the Western Regional Air Partnership’s Modeling Forum, and currently serves as co-chair of the Western Regional Air Partnership and the Western Regional Air Partnership’s Oil and Gas Workgroup and as Co-Vice President and Board member of the National Association of Clean Air Agencies. Ms. Uhl has published several technical articles regarding air chemistry and dispersion modeling. She earned

her B.S. degree in Math and Chemistry and M.S. degree in Atmospheric Sciences at Purdue University.

3. Summary and Estimated Duration of Testimony

Ms. Uhl's written narrative testimony is attached as NMED Exhibit 4. In accordance with the procedural order issued in this matter, Ms. Uhl may present an oral summary of her testimony of up to 15 minutes at the hearing.

4. Text of Recommended Modifications to the Proposed Regulatory Change

The Division recommends adoption of the New Mexico State Implementation Plan Revision To Satisfy the Requirements of Clean Air Act 110(A)(2)(D)(I)(i) with Respect to Visibility for the 8-Hour Ozone and PM 2.5 NAAQS Promulgated in July 1997, as submitted in the petition in this matter of February 28, 2011.

5. List and Description of Exhibits

The Division submits the following exhibits:

<u>Exhibit Number</u>	<u>Title of Exhibit</u>
NMED Ex. 1	Clean Air Act § 110
NMED Ex. 2	Federal Register Notice of January 5, 2011 (76 Fed. Reg. 491).
NMED Ex. 3	PNM Application for Permit Modification, with Cover Letter
NMED Ex. 4	Testimony of Mary Uhl
NMED Ex. 5	Public Notices

6. Case Record File.

The case record file in this proceeding is part of the administrative record and includes but is not limited to: Petition for Regulatory Change, Filed February 28, 2011.

7. Reservation of Rights

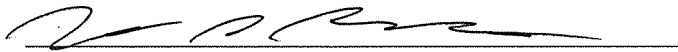
This Notice of Intent to Present Technical Testimony is based on the Division's petition. The Division reserves the right to call any person to testify and to present any exhibit in response

Notice of Intent Page 2 of 3

to another notice of intent or public comment filed in this matter or to any testimony or exhibit offered at the public hearing. The Division also reserves the right to call any person as a rebuttal witness and to present any exhibit in support thereof.

Respectfully submitted,

NEW MEXICO ENVIRONMENT DEPARTMENT
OFFICE OF GENERAL COUNSEL



Bill Grantham
Assistant General Counsel
New Mexico Environment Department
1190 St. Francis Drive
Santa Fe, New Mexico 87502-6110
Telephone (505) 827-2824, Fax (505) 827-1628
bill.grantham@state.nm.us


Certificate of Service

I certify that a copy of the foregoing pleading was sent by mail on May 2, 2011 to the following:

Richard A. Alvidrez, Esq.
Miller Stratvert P.A.
P.O. Box 25687
Albuquerque, New Mexico 87125

Galen M. Buller, Esq.
Miller Stratvert P.A.
P.O. Box 1986
Santa Fe, NM 87501

Attorneys for Public Service Co. of New Mexico



Bill Grantham